

Appl. No. : 09/386,247
Filed : August 31, 1999

CLAIM AMENDMENTS TO CLAIMS 22 AND 32

The Applicants amended claims 22 and 32 to correct misspellings. The Applicants respectfully submit that the scope of the foregoing claims has not been changed.

RESPONSE TO RESTRICTION REQUIREMENT

The Applicants elect, without traverse, to proceed with Species 1b, Species 2a, and Species 3a, as instructed in the Office Action. The Applicants agree with the Examiner that Claims 6, 15-17, 27, and 63 are generic. Moreover, the Applicants submit that Claims 7-9, 18-20, 23, 26, 28-29, 32, 35, 64, 67, 70-74, and 79 are also generic to the Examiner-designated specie subject matter.

The Applicants would like to thank the Examiner for the interview extended to the Applicants' counsel of record, John M. Grover. During the interview, the Applicants argued that because the present restriction appears after a two previous non-final Office Actions and one previous restriction requirement, and that many of the claims sought to be restricted were originally filed claims presumably searched during the first two non-final Office Actions, the Examiner should not be able to rely on an argument of an overburdened search. Neither the Examiner nor the Primary Examiner were persuaded by arguments regarding the untimeliness of the restriction nor the non-expanded search.

However, in an effort to move the prosecution of the application forward, the Applicants have elected without traverse, except to point out there are many claims other than those designated by the Examiner that are generic to the Examiner-designated specie subject matter.

CONCLUSION

In view of the forgoing, the present application is believed to be in condition for allowance and the Applicants respectfully requested the same. If further issues remain to

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be resolved, the Examiner is cordially invited to contact the undersigned. Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 2, 2002

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Version With Markings to Show Changes Made

Insertions appear as underlined text, for example, insertions, while deletions appear as strikethrough text, for example, ~~deletions~~.

23. The apparatus of Claim 17 wherein the pulsating fluid source is configured to pulse at range from approximately one pulse every two seconds to approximately five pulses ~~very~~ every minute.

32. The apparatus of Claim 27 wherein the pulsating fluid source is configured to pulse at range from approximately one pulse every two seconds to approximately five pulses ~~very~~ every minute.

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